

APR 26 2006

PTO/SB/97 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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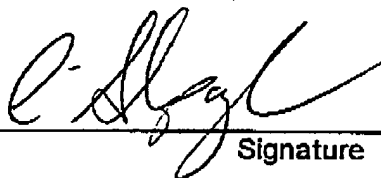
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on

4/26/06

Date



Signature

Eric Alsbaugh, Esq.

Typed or printed name of person signing Certificate

54,783

Registration Number, if applicable

(949) 553-8300

Telephone Number

FAX # 571-273-8300

Direct to OIPE

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Petition to Withdraw Holding of Abandonment
under 37 CFR 1.53 (F)-(G)

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT APPLICATION
 Application No.: 10/806,768
 Attorney Ref. No.: 00101US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application No.: 10/806,768)	
)	
Issue Date: n/a)	Group Art Unit: n/a
)	
Appl. No.: 10/806,768)	Examiner: n/a
)	
Filed: April 26, 2006)	SPE:
)	
For: SYSTEM AND METHODS FOR)	
ARC SHUTTERS)	
)	
)	

Petition to Withdraw the Holding of Abandonment under 37 CFR 1.181(a)

Office of Petitions *OIP*
 Commissioner for Patents
 P.O. BOX 1450
 Alexandria, VA 22313-1450
 Facsimile (571) 273-8300

Dear Sir or Madam:

In response to an action dated March 29, 2006 with a two month time for response May 9, 2006 to Petition to Withdraw the Holding of Abandonment for the above referenced application, I enclosing a the following:

- 1) A copy of the Notice to Filing Missing Parts 37 CFR 1.53(b), as received
- 2) A copy of the Original filed Response to Notice to Filing Missing Parts 37 CFR 1.53(b)
- 3) A copy of the Original Certificate of Mailing under 37 CFR 1.8, dated July 2, 2004

PATENT APPLICATION

Application No.: 10/806,768

Attorney Ref. No.: 00101US01

- 4) A copy of the Check in the amount of \$43.00, signed, dated, referencing the above application number and it's Endorsement by the PTO on July 12, 2004.
- 5) A copy of the Notice of Abandonment under 37 CFR 1.53(b) or (g), dated March 29, 2006
- 6) This Pctition to Withdraw Holding of Abandonment, 37 CFR 1.181(a)
- 7) A new Certificate of Facsimile Transmission for This Response

The Commissioner received a complete response to the Notice to File Missing Parts in July of 2004. This is evidenced by the enclosed documents #1-5. The response was due August 9, 2004. The response was mailed July 2, 2004. The Office endorsed the check on July 12, 2004. The check cleared the bank on July 15, 2004, personal communication. Clearly, the Office received the necessary documents and received payment for the response in a timely fashion. This petition complies with all the requirements of 37 CFR 1.181(a). It is hereby requested that the holding of abandonment be withdrawn.

The application as originally filed requested expedited processing due to the Inventor's status. Further, it is believed that the application is in condition for allowance. Please expedite the examination of this petition.

PATENT APPLICATION
Application No.: 10/806,768
Attorney Ref. No.: 00101US01

If you have any questions regarding this correspondence I may be reached by
phone at (949) 553-8300 or via e-mail e.alspaugh@biosensors.com.

Respectfully submitted,



Eric Alspaugh, Esq.
Registration No. 54,783

April 26, 2006

APR 26 2006



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/806,768	03/19/2004	Carlos Marques Cabrera	00101US01

40648
ERIC B. ALSPAUGH
2235 LINWOOD STREET A4
SAN DIEGO, CA 92110

CONFIRMATION NO. 2421

FORMALITIES LETTER

OC000000012907644

Date Mailed: 06/09/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION ✓

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Additional claim fees of \$43 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$43 for a Small Entity

- Total additional claim fee(s) for this application is \$43
 - \$43 for 1 independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

APR 26 2006

PATENT APPLICATION
Application No.: 10/806,768
Attorney Ref. No.: 00101US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application No.: 10/806,768)	
)	
Issue Date: n/a)	Group Art Unit: n/a
)	
Appl. No.: 09/549,779)	Examiner: n/a
)	
Filed: April 14, 2000)	SPE:
)	
For: SYSTEM AND METHODS FOR)	
ARC SHUTTERS)	
)	
)	

RESPONSE TO NOTICE TO FILING MISSING PARTS 37 C.F.R. 1.53(b)

Mail Stop
Commissioner for Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

In response to an action dated June 9, 2004 with a two month time for response August 9, 2004 I am enclosing a check for \$43.00 US dollars. Additionally, a copy of the notice is enclosed with this response.

If you have any questions regarding this correspondence I may be reached by phone at (619) 260-8318 or via e-mail EricAlspaugh@cox.net. Additionally, my customer number is 40646.

Respectfully submitted,


Eric Alspaugh
Registered Patent Agent #54,783

July 2, 2004

PTO/SB/92 (08-03)

Approved for use through 07/31/2006. OMB 0561-0031
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on July 2, 2004
Date



Signature

Eric Alsbaugh

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

1) Notice to File Missing Parts
2) Check 43.00


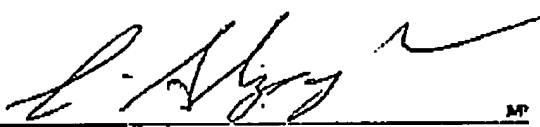
This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 422 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Page 1

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Pay to the Order of <u>US PTO</u>	\$ <u>43</u>		
<u>Forty-three and no cents</u>		Dollars	
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PATENT AND TRADEMARK OFFICE 13-10-0001 07-12-2004 FOR CREDIT TO THE U.S. TREASURY	3109 27151	JUL 13 01	10101010101 11259 120045 01 510000 11259 120045 01 510000 11259 120045 01 510000	10101010101 11259 120045 01 510000 11259 120045 01 510000
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